

# VERMONT TOBACCO EVALUATION & REVIEW BOARD

## Minutes of the Board Meeting

May 7, 2008

Pending Board Approval

**Members Present:** Amy Brewer, Theodore Marcy, MD, MPH, Brian Flynn, ScD, Dani Carey, Representative Patsy French, Gregory MacDonald, MD, Erica Peters, Edna Fairbanks Williams

**Designees Present:** Sheri Lynn for Acting Commissioner Moffatt, Marcia Lawrence for Commissioner Mike Hogan, Christy Taylor Mihaly for Attorney General Sorrell, Shevonne Travers for Commissioner Cate

**Guests:** Chris Finley, VDH, Kelly Stoddard, American Cancer Society, Tina Zuk, Coalition for a Tobacco Free Vermont, Catherine Suiter, Fletcher Allen Health Care

<b>CALL TO ORDER:</b> Dr. Marcy opened the meeting at 3:00 p.m.	
<b>PUBLIC COMMENT:</b> No public comment	
<b>REVIEW OF MINUTES:</b> The board approved the minutes of the April 9, 2008 board meeting.	
<p><b>REPORT FROM THE CHAIR:</b> Dr. Marcy wanted to make public attendees aware the board needs to go into an executive session for the last agenda item to discuss a personnel issue. The guests will be asked to leave. On June 18, the board will host a public hearing from Waterbury using Vermont Interactive Television (VIT). There will be no board meeting. In July, the board meeting will be held by conference call as the only action item is to review and approve a media campaign. In August, committees will meet in lieu of a full board meeting to discuss FY10 budget and program recommendations. There needs to be a second round of public comment before the September board meeting as the board will vote on the FY10 program and budget recommendations.</p> <p>Ms. Peters is moving to Arizona to complete her work on her doctorate. Although she will attend the June meeting, Dr. Marcy recognized and thanked her now for her work on the board and the evaluation and cessation committees. . The board is recruiting a new person for the under 30 position. Ms. Ryan will send a description to board members. Dr. Marcy also acknowledged Dr. Laura Solomon. She has become a professor emeritus and is stepping down from the cessation committee as of June 30. This is a big loss; she is a very talented, knowledgeable person who has contributed a great deal to the cessation committee. He recognized her considerable contributions and work in tobacco research over the years.</p> <p>On September 24, there is a statewide tobacco control partners meeting in Stowe. The meeting will focus on disparities and policy change. Dr. Marcy said Area Health Education Centers (AHEC) asked him to write an article to primary care physicians for the spring newsletter. He shared the newsletter; it will also be posted on the board's website. The U.S. Public Health Service is releasing the updated guidelines for clinical practice of tobacco treatment. Much of Vermont's program is based on the original guidelines. Ms. Brewer said Dr. Marcy's article and guidelines are good tools to use to approach physicians' offices. Dr. Marcy said the the board should review the updated guidelines. Dr. Flynn heard Sheri Lynn on public radio talking about the Vermont Quit Network. Ms. Ryan shared a study, published in the May issue of the Archives of Pediatrics and Adolescent Medicine, that shows youth who live in communities that ban</p>	<ul style="list-style-type: none"><li>• Executive session</li><li>• Summer plans</li><li>• Acknowledgment: Erica Peters &amp; Laura Solomon</li><li>• Recruiting board member "under age 30"</li><li>• Tobacco Control Partner's meeting, September 24</li><li>• Other tobacco control news</li><li>• Ms. Ryan's last meeting as administrator</li></ul>

<p>smoking in public places are 40% less likely to become regular smokers than youth that do not.</p> <p>Dr. Marcy said this is Ms. Ryan's last meeting as board administrator. In her new position with the American Lung Association of New England, she will remain involved in committee work. He thanked her for her work as administrator and former board member representing anti-tobacco non-profit representative. Ms. Lynn baked a zesty and delicious lemon cake to share☺ .</p>	
<p><b>REPORT: DEPARTMENT OF HEALTH:</b> Ms. Lynn reminded members that as of February, the name for all cessation services is the Vermont Quit Network. This encompasses phone, online and in person counseling. This was launched with a statewide mailing to every household (non-smokers were asked to share with a smoker) and a new website (<a href="http://www.VTQuitNetwork.org">www.VTQuitNetwork.org</a>). Per RTI in its annual report, direct mail is the most effective and least expensive way to reach smokers. There has been a lot of coverage in the news. The next step to highlight each of the services through a targeted mailing.</p>	<ul style="list-style-type: none"> <li>• <b>VT Quit Network</b></li> </ul>
<p><b>LEGISLATIVE UPDATE:</b> Ms. Ryan reviewed tobacco-related legislation. According to Representative French, the session ended last Saturday afternoon.</p> <ol style="list-style-type: none"> <li>1. Board members term will now expire June 30 (instead of February 1)</li> <li>2. Effective July 1 (pending Governor's action), cigarettes, roll-your-own tobacco, little cigars and snuff cannot be sold to VT consumers through the internet or mail.</li> <li>3. Effective July 1 (pending Governor's action), DLC will issue tobacco licenses to retailers and a person must be 16 to sell tobacco (confirms regulation already in place).</li> <li>4. The program was level funded at \$5.2 million for FY2009. In spite of the board's recommendation not to earmark funding, the bill included \$110,000 for pregnant women within the department of health cessation line item. The budget passed the Senate without the earmark but it was added back in the conference committee. The group discussed whether the incentive-based program works. Dr. Marcy said Dr. Solomon said women quit during smoking with this program but the relapse rate post partum is high. This program was trialed in one WIC and we don't know how effective it will be in other clinics. Dr. Marcy said this is a slippery slope; will other advocacy groups try the same approach? Rep. French said from a political perspective, the Senate gave it up because it wasn't costing any money and it was a trade off. VDH may also receive up to \$100,000 extra in April 2009 if the strategic contribution fund is greater than \$13 million. Ms. Mihaly said the calculation for volume and withholding must be done each year. She believes it is safe to assume it will be at least \$13 million but will likely decrease in future years. Ms. Ryan said the increase could be eliminated with budget adjustment too.</li> <li>5. And estimated total of \$3.1 million in interest from the Tobacco Trust Fund in the next two fiscal years shall be transferred from the Tobacco Trust Fund to cover FY09 Medicaid-related costs.</li> <li>6. \$650,000 from the Tobacco Trust Fund shall be used for Catamount</li> </ol>	<ul style="list-style-type: none"> <li>• <b>Legislative Update (end of session)</b></li> </ul>

<p>Health to cover those with pre-existing conditions.</p> <p>All agreed this is a difficult year. The legislature has been very careful about keeping the money in the trust fund. Ms. Mihaly thought the board should think about its approach to the budget recommendation. The fiscal picture is not good for at least the next year. Dr. Marcy said the likelihood of level funding is high and we will likely not reach our goal for adult smoking. RTI has recommended looking at redistribution of resources among the programs. This is easier said than done; the board has viewed the programs working synergistically. If we total all the tobacco-related money coming to Vermont (including MSA and taxes), the program gets a very small percent. The Legislature needs to be aware of this. Ms. Mihaly said to Vermont's credit, it all the MSA funds are used for health-related activities.</p> <p>7. The excise tax for cigarettes and several other tobacco tax will increase on July 1 as a result of 2006 legislation.</p> <p>In addition:</p> <ol style="list-style-type: none"> <li>1. There will be an inventory of school-based preventions programs, including tobacco, and recommendations for improving coordination by January 15, 2009. This is similar to CHAMPPS process for community activities.</li> <li>2. The Department of Education must provide online training for alcohol, tobacco and other drugs for school personnel.</li> </ol>	
<p><b>REPORT: EVALUATION COMMITTEE:</b> As required by the state bid process, the evaluation of the independent program was posted as a competitive request for proposal (RFP). RTI has been the independent program evaluator since the inception of the program. The board received two proposals. Both met minimum criteria as required in the RFP. The proposals were scored (using a scoring tool) by the evaluation team comprised of three board representatives and three VDH staff. The team was unanimous in ranking RTI first. The Evaluation Committee recommends to the board that RTI is contracted to perform the independent program evaluation. This contract is for two years, with the option of extending for two more (one year at a time). The contract, including the budget, will now be managed by the administrator out of the Agency of Human Services as opposed to VDH. This will make it easier for the administrator to oversee the entire contract.</p> <p><b>Motion:</b> To contract with RTI as the independent program evaluator.</p> <p><b>Seconded. Motion Passed.</b></p>	<ul style="list-style-type: none"> <li>• <b>Evaluation Contract (VOTE)</b></li> </ul>
<p><b>REPORT: SEARCH COMMITTEE:</b> Dr. Marcy asked for a motion to go into an executive session to discuss a personnel matter.</p> <p><b>Motion:</b> To move into executive session. <b>Seconded. Motion passed.</b></p> <p>The board voted to hire Stephen Morabito as the board administrator at Pay Grade 27, Step 1.</p>	<ul style="list-style-type: none"> <li>• <b>Executive Session: New Administrator (VOTE)</b></li> </ul>
<p><b>ADJOURN:</b> This meeting adjourned at 4:30 p.m.</p> <p>Signed by: Rebecca L. Ryan, MEd Administrator</p> <p>Approved by: Theodore Marcy, MD, MPH Chair</p>	